

MEMORANDUM ENDORSED



January 6, 2025

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Via ECF

The Hon. Gabriel W. Gorenstein
United States Magistrate Judge
United States District Court
40 Foley Square, Room 2203
New York, NY 10007

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RE: Abadi v. NYU Langone Health System, et al., 1:21-cv-11073-RA-GWG

Dear Magistrate Judge Gorenstein:

We represent the Defendants in this action brought by a *pro se* plaintiff. We write to respectfully request a fifth and final three week extension of the deadline for the parties to file a motion for summary judgment. The deadline for either party to move for summary judgment is currently January 7, 2025. (Dkt. 91). Plaintiff consents to this application.

In support of this application, Defendants state as follows. Since the last request for an extension of the summary judgment deadline, the parties are still finalizing the joint statement of agreed facts, so as to eliminate all discovery disputes and as many factual disputes as possible, in advance of the parties cross-moving for summary judgment. The parties have continued in good faith to work through various disputes and are close to completion. Unfortunately, as explained in my last request for an extension, this process has taken more time than expected.

Since June 17, 2024, the undersigned's wife, who suffers from primary progressive multiple sclerosis and related complications, has remained seriously ill. Just recently the undersigned's wife had an unexpected medical issue over the holidays requiring an extended hospital stay for her to be intubated for a period of time. Since the undersigned has been the primary caregiver, this process has not progressed as far as the parties anticipated to date.

Accordingly, the parties jointly request this fifth and final extension, which will not affect any other deadlines in the case, and will extend the summary judgment filing deadline to January 28, 2025.

Very truly yours,

HARRIS BEACH MURTHA PLLC

/s/ Roy W. Breitenbach
Roy W. Breitenbach

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cc: Mr. Aaron Abadi

Granted. Any motion for summary judgment is returnable before Judge Abrams, shall comply with her Individual Practices, and shall be filed by January 28, 2025.

So Ordered.



GABRIEL W. GORENSTEIN
United States Magistrate Judge
January 7, 2025